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TITLE 3—THE PRESIDENT

PROCLAMATION 2842

PRAYER FOR PEACE, MEMORIAL DAY, 1949

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

On Memorial Day each year it is our custom to pay homage to our heroic dead who have sacrificed their lives in the cause of liberty and peace.

This sacred day is a fitting occasion on which the people of our Nation, all of whom, directly or indirectly, have been bereft by war's terrible toll, may appeal to Almighty God for help in turning the steps of the world to the paths of permanent peace.

These paths are long and tortuous, and thus far mankind has not had the wisdom to find the way to an enduring peace.

We are humbly aware that only through divine guidance can we hope to attain the understanding necessary for averting wars and achieving a peaceful world.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, pursuant to a resolution of the Congress approved May 26, 1949, do hereby call upon the people of the United States to observe Memorial Day, Monday, May 30, 1949, by praying, each in accordance with his religious faith, for a permanent peace. And I designate the hour beginning at eleven o'clock in the morning of that day, Eastern Daylight Saving Time, as a period in which all our people may unite in prayer for a permanent peace, and for the bestowal of wisdom and patience, to the end that we may be instruments of God in achieving and preserving harmony on earth.

I also request the newspapers, radio stations, and all other media of information to join in the observance of Memorial Day, 1949, as a day of prayer for peace, and in the collective Nation-wide prayer on the morning of that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 26th day of May in the year of our Lord nineteen hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-third.

[SEAL]

HARRY S. TRUMAN

By the President:

JAMES E. WEBB,
Acting Secretary of State.

[F. R. Doc. 49-4355; Filed, May 27, 1949; 11:03 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 321]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.428 *Lemon Regulation 321*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq.; 13 F. R. 766), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the

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FEDERAL REGISTER

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time intervening between the date when information upon which this regulation is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., May 29, 1949, and ending at 12:01 a. m., P. s. t., June 5, 1949, is hereby fixed as follows:

(i) District 1: 625 carloads;

(ii) District 2: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as

provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 320 (14 F. R. 2687), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," and "District 2" shall have the same meaning as is given to each such term in the said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 26th day of May 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-4337; Filed, May 27, 1949; 10:16 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5341]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

RITTER BROTHERS, INC.

§ 3.6 (c) *Advertising falsely or misleadingly; composition of goods:* § 3.6 (j 10) *Advertising falsely or misleadingly; history of product or offering:* § 3.6 (ff) *Advertising falsely or misleadingly; Trade mark registration:* § 3.66 (a 7) *Misbranding or mislabeling; composition:* § 3.66 (d 10) *Misbranding or mislabeling; history:* § 3.66 (k 25) *Misbranding or mislabeling; trade mark registration.* In connection with the offering for sale, sale, and distribution of respondent's fur garments in commerce, representing, directly or by implication, (1) that garments not made of peltries obtained from wild or trapped minks are made of such peltries; (2) that the peltries used in respondent's garments are obtained from registered or championship minks; (3) that the peltries used in respondent's garments are obtained from trophy winning or prize winning minks; or, (4) that respondent's trade-mark is registered in the United States Patent Office; prohibited, subject to the provision, however, that nothing contained in the order shall be construed as prohibiting the use by respondent of the expression "Blue Ribbon" to designate its products when such expression is not accompanied by other words indicating or suggesting a competitive contest. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Ritter Brothers, Inc., Docket 5341, May 3, 1949]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 3d day of May A. D. 1949.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before an examiner of the Commission theretofore duly designated by it, recommended decision of the trial examiner, and brief in support of the complaint (respondent not having filed brief, and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that respondent, Ritter Brothers, Inc., a corporation, has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent, Ritter Brothers, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's fur garments in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

(1) That garments not made of peltries obtained from wild or trapped minks are made of such peltries.

(2) That the peltries used in respondent's garments are obtained from registered or championship minks.

(3) That the peltries used in respondent's garments are obtained from trophy winning or prize winning minks.

(4) That respondent's trade-mark is registered in the United States Patent Office.

Provided, however, That nothing contained in this order shall be construed as prohibiting the use by respondent of the expression "Blue Ribbon" to designate its products when such expression is not accompanied by other words indicating or suggesting a competitive contest.

It is further ordered, That the respondent shall, within sixty days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-4267; Filed, May 27, 1949; 8:45 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 231—INTERPRETATIVE RELEASES RELATING TO SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

OPINION OF GENERAL COUNCIL RELATING TO "WHEN-ISSUED" TRADING

§ 231.3343 *Opinion of the General Counsel relating to "when-issued" trading.* In Securities Act Releases Nos. 3000 and 3011,[1] the opinion was expressed, inter alia, that an order of a United States District Court enforcing a plan under section 11 (e) of the Public Utility Holding Company Act of 1935, or confirming a plan under Chapter X of the Bankruptcy Act, establishes an exemption under section 3 (a) (10) of the Securities Act of 1933 for any securities issued pursuant to the plan in exchange for one or more outstanding securities, claims or property interests, or partly in such exchange and partly for cash; that upon the entry of such an order brokers or dealers may legally sell such securities on a when-issued basis; and that the taking of an appeal from such an order would not affect the exemption "unless the order of the lower court were stayed pending the appeal."

The effect of a stay of a court order depends, of course, upon the nature and conditions of the stay. Since experience with such plans indicates that the type of stay order normally sought would have the effect merely of delaying execution of the plan rather than setting aside even temporarily the effect of the court's approval or confirmation order, it is my opinion that any such stay order would not affect the exemption from the Securities Act any more than the taking of an appeal without a stay. [Securities Act Release No. 3343, dated May 24, 1949.]

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

MAY 23, 1949.

[F. R. Doc. 49-4270; Filed, May 27, 1949; 8:46 a. m.]

[1] 17 CFR, 1946 Supp., 231.3000 and 231.3011.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52226]

PART 6—AIR COMMERCE REGULATIONS

AIRPORTS OF ENTRY

MAY 24, 1949.

The Dorothy Scott Municipal Airport and the Dorothy Scott Seaplane Base, Oroville, Washington, are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C. 179 (b)), effective June 1, 1949, without time limit.

The list of airports of entry in § 6.12, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.12) as amended, is hereby further amended to include the locations and names of these airports. The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13) as amended, is hereby further amended by deleting the locations, names, and dates and periods of designations of the airports involved.

Notice of the proposed redesignations of these airports as airports of entry without time limit was published in the FEDERAL REGISTER on April 27, 1949 (14 F. R. 2066), pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003). The redesignations of these airports shall be effective on June 1, 1949, the delayed effective date requirements of section 4 (c) of the Administrative Procedure Act being dispensed with because of the expiration of the previous designations prior to the expiration of 30 days after the publication hereof. The redesignations of these

airports are based on a determination that a sufficient need exists to justify such redesignations and the redesignations are made for the purpose of providing for convenient compliance with customs requirements.

(Sec. 7 (b), 44 Stat. 572, as amended; 49 U. S. C. 177 (b))

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 49-4305; Filed, May 27, 1949; 8:52 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

SPECIAL DIVIDENDS

Sections 6.96 and 8.26a are added to Parts 6 and 8, as follows:

§ 6.96 *Special dividends.* Any special United States Government life insurance dividend that may be declared shall be paid in cash only. Such special dividends shall not be accepted to accumulate on deposit. Unpaid special dividends shall not be available to pay premiums. (Secs. 5, 17, 300, 301, 311, 43 Stat. 608, 612, 624, 627, secs. 1, 2, 46 Stat. 1016; 38 U. S. C. 11, 11a, 426, 443, 511, 512, 512b, 707)

§ 8.26a *Special dividends.* Any special National Service life insurance dividend that may be declared shall be paid in cash only. Such special dividends shall not be accepted to accumulate on deposit. Unpaid special dividends shall not be available to pay premiums. (Secs. 601–618, 54 Stat. 1008–1014, secs. 1–16, 60 Stat. 781–789, secs. 1, 2, 61 Stat. 5, Pub. Law 838, 80th Cong.; 38 U. S. C. 512d, 801–818)

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 49-4273; Filed, May 27, 1949; 8:47 a. m.]

PART 17—MEDICAL

MISCELLANEOUS AMENDMENTS

1. In § 17.47, paragraph (c) (2) is amended and paragraph (d) (3) is deleted.

§ 17.47 *Eligibility for hospital treatment or domiciliary care of persons discharged, released or retired from active military or naval service.* * * *

(c) * * *

(2) Domiciliary care for persons enumerated in subparagraph (1) of this paragraph, when suffering from a permanent disability or tuberculous or neuropsychiatric ailment and who are incapacitated from earning a living and who have no adequate means of support.

2. In § 17.60, paragraph (a) (4) is amended to read as follows:

§ 17.60 *Out-patient.* (a) * * *

(4) Retired members of the Regular Establishment who have elected under Public Law 314, 78th Congress, to receive disability compensation from the Veterans' Administration for a service-connected disease or injury and who are in need of treatment for said service-connected compensable disease or injury.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 49-4274; Filed, May 27, 1949; 8:47 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

ITALY INCLUDING THE REPUBLIC OF SAN MARINO AND VATICAN CITY STATES

1. In § 127.283 *Italy (including the Republic of San Marino)* (13 F. R. 9174) make the following changes:

a. Amend subparagraph (8) of paragraph (a) to read as follows:

(a) *Regular mails.* * * *

(8) *Prohibitions.* (i) Coins, bank notes, paper money, checks, bonds, and other values; gold and silver bullion, precious stones, jewelry and other precious articles.

(ii) Articles for collections and artistic articles, including albums of photographs, cards, etc., and stamp collections.

(iii) The articles prohibited or restricted as parcel post are also prohibited or restricted in the regular mails.

(iv) There is shown below a list of those articles admissible as samples of merchandise:

NOTE: The limits of weight apply not only to each article, but also to the whole of such articles sent at the same time by one and the same sender to one and the same addressee.

(a) *Up to 50 grams:*
Needles, except those used for surgery.
Pen-points, except those of gold or imitation gold for fountain pens.
Pencils of all kinds.
(b) *Up to 60 grams:*
Pins.
Egrets prepared for medicaments.
Worked sponges.
(c) *Up to 75 grams:*
Cinnamon, pure or mixed with other spices.
Cloves.
Pepper and pimiento, pure or mixed with other spices.
(d) *Up to 100 grams:*
Natural coffee.
Cacao seeds, broken, ground, or in paste.
Chocolate.
Condensed or concentrated milk.
Candied fruits.
Sugarplums and conserves, in sugar and honey.
Sugar and glucose, in pieces or in powder.
Biscuits.
Straw, including worked straw.
Thread of hemp, cotton, jute, wool or linen, if each packet contains threads from several skeins or bobbins, balls, and rolls.
Buttons of all kinds (except those of precious metal or any other material garnished with precious metal, or mother-of-pearl worked in any manner) in quantities which differ from one another.
Worked mother-of-pearl (except that prepared for making buttons).
Perforated enamel or glass beads for crowns, necklaces, ornaments, etc.
Brushes, other than shaving-brushes with handles of ivory, tortoise-shell, or precious metal, and other fine-bristle brushes.
Combs and hairpins, except those of ivory, tortoise-shell, or precious metal, or those wholly or partly garnished with precious metal.
Lenses for goggles, provided their commercial value has been eliminated by means of cross-hairs entirely covering the surface.
Small articles of common metals and their alloys, gilded, silvered or burnished, as well as articles entirely of nickel, bronze or aluminum.
Penholders.
Electric wire.
Musical strings.
Worked celluloid, cellophane, and similar products. (Such articles whose mercantile value has been nullified by the senders by means of perforations are admitted up to 350 grams.)
Worked ebonite.
Rubber or gutta-percha in sheets, prepared in any manner (except rubber gloves and infants' rubber nipples and teething rings, which are prohibited).
Colors in small cakes or paste, enclosed in small tubes and placed in boxes (except aniline colors).
Varnishes of all kinds.
Boxes of colors.
Night-lamps, with boxes and accessories.
(e) *Up to 150 grams:*
Worked bone and horn. (Such articles whose mercantile value has been nullified by the senders by means of perforations are admitted up to the weight of 350 grams.)
Small articles of wood (toys and other articles of wood).
(f) *Up to 200 grams:*
Lactated flour and other similar flours prepared for nutrition.
Electric cords.
(g) *Up to 250 grams:*
Thread of hemp, cotton, jute, wool or linen, if each packet contains only one skein.
Dyed silk thread, including that "filled with white".
(h) *Up to 350 grams:*
Raw silk thread, including that which is simply bleached.

It is not permissible to import in one and the same packet various merchandise when the weight of the packet exceeds one or the other of the maximum weights authorized, even if each article does not exceed the maximum fixed by the present list.

Lace, braid, embroidery, galloon, ribbon, fringe, lamp-wick, cord and small cord of any textile material, including that mixed with metal threads, if sent in separate pieces not measuring more than 20 centimeters in length.

Tissues of any textile material, whether or not mixed with metal threads, provided the length does not exceed 40 centimeters.

b. Amend subparagraph (5) of paragraph (b) to read as follows:

(b) *Parcel post;* (Italy and Republic of San Marino.) * * *

(5) *Prohibitions*—(i) *For reasons of public safety.* Printed matter, phonograph records, or other reproductions which are contrary to public order.

(ii) *For reasons of sanitary policy.* Medicines and drugs, including serums and vaccines, not authorized by the Italian Ministry of the Interior. Accepting postal employees are not expected to know what medicines have been authorized by the Italian authorities, and any mailable medicines, etc., are to be

accepted with the understanding that final decision as to the admissibility of the articles rests with the Italian authorities.

Nursing bottles, parts thereof, and baby pacifiers must have an indelible mark applied by the manufacturer. Nursing bottles with long tubes, and pacifiers with cavities inside are prohibited, as are any similar articles of vulcanized rubber containing harmful substances.

The containers of canned or preserved fish products must be indelibly marked describing the contents.

(iii) *For the protection of animals or plants.* Certain plants and plant products are prohibited from importation or are admitted under restrictions. Interested patrons may be informed that information can be obtained from the Bureau of Entomology and Plant Quarantine, Department of Agriculture, Washington 25, D. C., or from one of the offices of that Bureau located at principal ports of entry.

(iv) *Arms, munitions, etc.* Nonexplosive components of artillery fuses.

Arms or parts of arms, without the permission of the competent authorities.

(v) *State monopolies, etc.* Playing cards addressed to San Marino.

Saccharine and its products, unless addressed to duly authorized pharmacists.

Cooking salt, rock salt, and other products containing more than 25 percent of sodium chloride are admitted only with the authorization of the competent Italian authorities.

Tobacco in any form; cigarette lighers and lighter fluids.

Bank notes or paper money.

(vi) *For other reasons.* Weights, measures, and instruments for weighing and measuring not meeting the required standards.

Radio communication apparatus and parts thereof are admitted only if the addressee receives permission from the Italian Ministry of Communications.

2. In § 127.375 *Vatican City State* (13 F. R. 9234) make the following changes:

a. Amend subdivision (ii) of subparagraph (7), paragraph (a) to read as follows:

(a) *Regular mails.* * * *

(7) *Prohibitions.* * * *

(ii) All articles prohibited or restricted as parcel post are also prohibited or restricted in the regular mails.

b. Amend subparagraph (4) of paragraph (b) to read as follows:

(b) *Parcel post.* (Vatican City State.) * * *

(4) *Prohibitions*—(i) *For reasons of public safety.* Books, newspapers, prints, etc., contrary to public order, morals or religion.

(ii) *For sanitary reasons.* Articles unfit for consumption.

(iii) *For the protection of plants.* Plants and plant products which may bring in diseases.

(iv) *Arms, munitions, etc.* Nonexplosive components of artillery fuses may be imported only with the previous authorization of the Government of the Vatican City State.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON, *Postmaster General.*

[F. R. Doc. 49-4275; Filed, May 27, 1949; 8:48 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Docket No. 3666]

PARTS 71-77—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of May A. D. 1949.

It appearing, that pursuant to the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444), sections 831-835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing, that in application received we are asked to amend the aforesaid regulations as set forth in provisions made a part thereof.

It is ordered, That the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

PART 74—REGULATIONS APPLYING PARTICULARLY TO CARRIERS BY RAIL FREIGHT

SUBPART E—HANDLING BY CARRIERS BY RAIL FREIGHT

1. In § 74.589 paragraph (f) (1) (c) (formerly sec. 589 (f) (1) (c), order October 19, 1948), is amended to read as follows:

(c) When transported in a freight train or a mixed train performing pick-up and/or setoff service, it shall be placed not nearer than the second car from both the engine or occupied caboose, except as provided in paragraph (i) of this section.

2. In § 74.589 paragraph (f) (2), subparagraphs (1), (2), and (12) (formerly § 589 (f) (2), subparagraphs 1, 2, and 12, order October 19, 1948) are amended to read as follows:

(1) Occupied passenger car, other than car occupied by gas handlers or military personnel accompanying shipments.

(2) Occupied combination car, other than car occupied by gas handlers or military personnel accompanying shipments.

* * * * *

(12) Occupied caboose, except as provided in paragraph (i) of this section.

3. In § 74.589 paragraph (i) (1) (order October 19, 1948), is amended by adding paragraph (i) (2) to read as follows:

(2) A car placarded "Explosives" shall at all times be next to and ahead of the car occupied by military personnel when accompanying such car.

4. In § 74.589 paragraph (j) (2) (formerly sec. 589 (j) (2), order May 8, 1947), is amended to read as follows:

(2) Cars containing explosives, class A, poison gases or liquids, class A, and tank cars placarded "Dangerous" shall not be transported next to occupied cabooses or cars carrying passengers in mixed trains, except as provided in paragraph (i) of this section.

It is further ordered, That the foregoing amendments to the aforesaid regulations shall have full force and effect on August 17th, 1949, and that such regulations as herein amended shall thereafter be observed until further order of the Commission.

It is further ordered, That compliance with the aforesaid regulations as herein amended is hereby authorized on and after the date of service of this order.

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and filing it with the Director, Division of Federal Register.

(49 Stat. 546, as amended, sec. 835, Pub. Law 772, 80th Cong.; 49 U. S. C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 49-4276; Filed, May 27, 1949; 8:48 a. m.]

Subchapter B—Carriers by Motor Vehicle

[Ex Parte No. MC-39]

PART 167—BROKERS OF PROPERTY

PRACTICES OF PROPERTY BROKERS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 16th day of May A. D. 1949.

It appearing, that on August 25, 1945, the Commission entered upon an investigation into the matter of practices of brokers of transportation by motor vehicle as defined in section 203 (a) (18) of the Interstate Commerce Act, except those dealing exclusively in the transportation of passengers and their baggage, with a view to prescribing such reasonable rules, regulations, and requirements to be observed by such brokers as may be necessary or desirable in the public interest and to taking such other action as the facts and circumstances warrant;

And it further appearing, that a full investigation of the matters and things involved has been made, and the said Division, on the date hereof, has made

and filed a report herein containing its findings of fact and conclusions thereon.[1]

It is ordered, That the rules and regulations governing the practices of brokers of transportation by motor vehicle, except brokers dealing exclusively in the transportation of passengers and their baggage, as set forth in the appendix to said report, and found in said report to be reasonable and necessary in the public interest, be, and they are hereby approved, adopted, and prescribed for application on and after the effective date of this order to the operations of, and they shall be observed without exception or exemption by, all brokers as defined in said rules to the extent herein provided.

Sec.
167.1 Applicability.
167.2 Definitions.
167.3 Records to be kept by brokers.
167.4 Carrier's operating authority.
167.5 Charges for brokerage service.
167.6 Charges for non-brokerage services.
167.7 Misrepresentation.
167.8 Billing.
167.9 Rebating.
167.10 Duties and obligations of brokers.
167.11 Transfer of brokers' licenses.
167.12 Corporations and associations holding brokers' licenses.
167.13 Accounting.

AUTHORITY: §§ 167.1 to 167.13 issued under 49 Stat. 546, 554; 49 U. S. C. 304 (a) (4), 811 (c).

§ 167.1 *Applicability.* The following sections apply, to the extent provided therein, to all brokers of transportation by motor vehicle as defined in § 167.2.

§ 167.2 *Definitions.* As used in §§ 167.1 to 167.13 the following terms shall have the meanings indicated:

(a) "Broker" means any person as defined in section 203 (a) (1) of the Interstate Commerce Act not included in the term "motor carrier" and not a bona fide employee or agent of any such a carrier, who, as principal or agent, for compensation, sells or offers for sale transportation subject to Part II of the Interstate Commerce Act other than transportation of passengers and their baggage, or makes any contract, agreement, or arrangement to provide, procure, furnish, or arrange for such transportation or shall hold himself out by advertisement, solicitation, or otherwise as one who sells, provides, procures, contracts, or arranges for such transportation.

(b) "Motor carrier" means a common or contract carrier by motor vehicle of property as defined in section 203 (a) (14) and (15), respectively, of the Interstate Commerce Act.

(c) "Transportation" means transportation of property by motor vehicle performed for compensation by a motor carrier operating under the provisions of the second proviso of section 206 (a) of the Interstate Commerce Act or by a motor carrier which is required by sections 206 or 209 of the act to hold a certificate or permit authorizing such transportation.

(d) "Brokerage" or "brokerage service" means the selling or offering for sale of transportation; or the making of any contract, agreement, or arrangement to provide, procure, furnish, or arrange for transportation; or the holding out by advertisement, solicitation, or otherwise, to sell, provide, procure, contract, or arrange for transportation, by a broker for compensation.

(e) "Non-brokerage service" means any service which is not a "brokerage service," as defined in this section and which is furnished by a broker to, for, or on behalf of, a motor carrier or consignor or consignee of shipments moving by motor vehicle.

(f) "A bona fide agent", as distinguished from a broker, is a person who is part of the normal organization of a motor carrier and performs his duties under the direction of the carrier pursuant to a preexisting agreement with the carrier providing for a continuing relationship between them and precluding the exercise of discretion on the part of the agent in allocating traffic as between the principal and others.

§ 167.3 *Records to be kept by brokers.* Each broker shall keep and retain for a period of three years an exact record of each transaction in which he participates, which record shall show for each transaction:

(a) Name and address of the consignor.

(b) Name, address, and the lead or principal docket number of the originating motor carrier.

(c) Bill of lading or freight bill number.

(d) Description of commodity or commodities, weight, rate, and tariff reference.

(e) Date of shipment.

(f) Origin and destination of shipment.

(g) Amount of compensation received by the broker for brokerage service furnished and from whom it was received.

(h) Description of any non-brokerage service performed in connection with each particular shipment or otherwise, amount of compensation received for such service, and from whom such compensation was received.

(i) If freight charges are collected by the broker, the record shall show, for each shipment, the amount collected and the date of payment to the carrier.

§ 167.4 *Carrier's operating authority.* In the execution of any contract, agreement, or arrangement to sell, provide, procure, furnish, or arrange for any transportation by motor vehicle no broker shall employ, or allocate, or surrender any shipment to any carrier by motor vehicle who, or which, cannot lawfully transport it either to destination or to a normal point of interchange with a connecting carrier.

§ 167.5 *Charges for brokerage service.* (a) Each broker shall maintain and keep open for public inspection at each place of business which he maintains, a schedule stating his maximum charge for each brokerage service which he holds out to perform, and

(b) No broker shall charge or collect any more for any brokerage service than his maximum charge therefor as contained in his schedules maintained pursuant to paragraph (a) of this section.

§ 167.6 *Charges for non-brokerage services.* (a) Each broker shall maintain and keep open for public inspection at each place of business which he maintains, schedules (1) stating his minimum charge for each non-brokerage service which he holds himself out to perform for shippers, consignors, or consignees and (2) stating his maximum charge for each non-brokerage service which he holds himself out to perform for carriers.

(b) No broker shall furnish any non-brokerage service other than those for which the minimum or maximum charge is contained in his schedule nor shall any broker charge or collect from any shipper, consignor, or consignee any less or from any carrier any more, for any non-brokerage service performed than his minimum or maximum charge for such service as contained in his maintained schedules.

§ 167.7 *Misrepresentation.* (a) No broker shall perform any brokerage service or hold himself out to perform such service, by advertisement or otherwise, in any name other than that in which his license is issued.

(b) No broker shall directly or by implication represent himself to be a carrier in respect of any service which he does not hold authority as a carrier to perform.

(c) No broker shall advertise in any manner any offer of service as a broker without showing in such advertisement his status as a broker in type which is clear and bold and equally as large as any other in the same advertisement.

§ 167.8 *Billing.* (a) No broker shall, in any name except that of a carrier, issue any bill of lading, freight bill, or other document which is appropriate only for use by a carrier transporting or agreeing to transport a shipment.

(b) No broker shall issue any order for service or any other document appropriate for use by brokers which does not clearly show thereon the name and address of the broker and that it is executed as a broker of transportation in type which is clear and bold and equally as large as the name of the issuing broker.

§ 167.9 *Rebating.* (a) No broker shall charge or receive compensation from a motor carrier for brokerage service performed in connection with any shipment which he owns or in which he has a material interest, or the routing of which he controls by reason of any affiliation with, or non-brokerage relationship to, the shipper, consignor, or consignee as traffic consultant or otherwise, or which he controls by reason of his performance for the shipper, consignor, or consignee of non-brokerage services, as defined in the rules in this part.

(b) No broker shall pay, give, or offer to pay or give, directly or indirectly, anything of value, except ordinarily used inexpensive, advertising specialties, to any shipper, consignor, consignee or to any officer or employee of a shipper, consignor, or consignee.

§ 167.10 *Duties and obligations of brokers.* (a) A broker shall fairly protect the interest of any shipper employing his services, by providing, or ad-

[1] Filed as part of the original document.

vising the shipper of, the transportation services which, because of rates, schedules, type of motor carrier, or otherwise, will best meet the needs of the shipper, and no broker shall misrepresent or make false promises to any shipper with respect to the service rendered or to be rendered by any motor carrier.

(b) No broker shall knowingly misrepresent to a motor carrier the commodity to be transported or otherwise give to a motor carrier incorrect information which may affect the applicable charges for any particular transportation service.

(c) No broker shall charge or accept compensation from both a shipper and a motor carrier in connection with the same shipment, whether for brokerage or non-brokerage service, without first advising both parties of the amount and basis for the charge or payment by the other.

(d) A broker shall exercise due diligence to carry out any undertaking to arrange for desired transportation, to carry out the terms of its arrangements with any shipper or motor carrier, and to pay promptly any monies received by him for such shipper or motor carrier.

(e) Any freight charges collected by a broker shall be paid in full to the carrier or carriers employed by him, without deduction for any amount due to him from such carrier or carriers.

§ 167.11 *Transfer of brokers' licenses.* A license issued a broker may be transferred, if approved by the Commission, upon application and proof that the transferee is fit, willing, and able to perform the duties, and that the transfer will not be contrary to the public interest.

§ 167.12 *Corporations and associations holding brokers' licenses.* A change in the control of a corporation or association holding a broker's license may be accomplished only with the approval of the Commission upon application and proof that the change in control will not be contrary to the public interest.

§ 167.13 *Accounting.* Each broker who engages in any other business, whether as a carrier, warehouseman, or otherwise, shall keep and maintain his accounts in such manner that the revenues and expenses pertaining to his brokerage operations will be segregated from those of his other operations. Expenses that are common to his brokerage and other operations shall be allocated to each on an equitable basis, and the broker shall be prepared to show at any time and to report to the Commission when required the allocation of such common expenses and the basis of the allocation.

It is further ordered, That this order shall become effective on July 5, 1949.

By the Commission, Division 5.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 49-4278; Filed, May 27, 1949; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR, Part 202]

PREVAILING MINIMUM WAGE FOR SEAMLESS HOSIERY INDUSTRY

NOTICE OF POSTPONEMENT OF HEARING ON PROPOSED AMENDMENT

Notice is hereby given that the public hearing on the proposed amendment of the wage determination for the Seamless Hosiery Industry which was scheduled for May 25, 1949, is postponed until further notice.

Signed at Washington, D. C., this 20th day of May 1949.

WM. R. MCCOMB, *Administrator.*

[F. R. Doc. 49-4272; Filed, May 27, 1949; 8:47 a. m.]

ATOMIC ENERGY COMMISSION

[10 CFR, Part 50]

FACILITIES FOR PRODUCTION OF FISSIONABLE MATERIAL

NOTICE OF PROPOSED RULE MAKING

Pursuant to the Atomic Energy Act of 1946 (Public Law 585, 79th Congress; 60 Stat. 755-ff) and to section 4 (a) of the Administrative Procedure Act of 1946 (Public Law 404, 79th Congress), notice is hereby given that an amendment to Title 10, Chapter I, Part 50, Code of Federal Regulations, entitled "Control of Facilities for the Production of Fissionable Material" will be issued by the Atomic Energy Commission, to be effective July 1, 1949.

It is proposed that this amendment will read substantially as follows:

Part 50, Control of Facilities for the Production of Fissionable Material, is hereby amended in the following respects only:

1. The third (last) sentence of § 50.20 *Applications for licenses* is deleted.

2. The second (last) sentence of § 50.21, *Issuance of licenses,* is deleted.

3. The following § 50.72 is added reading as follows:

§ 50.72 *Schedule B: Exemptions.* The listing in § 50.71 of electrometer-type electronic tubes and resistors (see § 50.71 (a) (xiv) and (xv) and (b) (vii) and (viii)) shall not be deemed to constitute such items component parts of radiation detection equipment or mass spectrometers when they have been actually incorporated into (or packaged as spares for shipment with) instruments (such as, but not limited to, pH meters, spectrophotometers, moisture meters, and kilovoltmeters) not capable of detection or measurement of nuclear radiation or not capable of use as mass spectrometers.

The purpose of those parts of the proposed amendment appearing above as items 1 and 2 is to change the method of application for and issuance of export licenses for facilities covered by the licensing regulation in order to minimize the possibility of evasion of the license control, as well as to simplify and improve the existing system. After the effective date of the proposed amendment, the system would operate as follows:

(1) A new AEC Form 250 (Export License) will be issued commencing July 1, 1949.

(2) AEC Form 17 (License Application) has been revised and will continue in use after July 1, 1949, as a license application form only. A duplicate copy of the application will be returned to the applicant for his files either along with a Form AEC 250 (Export License) or with a letter indicating disapproval of the application.

(3) AEC Form 17 (License Application(s)) which have already been approved and assigned export license numbers will be valid for use as export licenses through August 31, 1949. If shipment cannot be made prior to that date, the license now held is to be returned to the Commission, with a letter stating the circumstances, along with any "Shipper's Export Declarations" validated by AEC, and a new license will be issued on AEC Form 250. The old license and returned validated export declarations will be retained in AEC files.

(4) Shipper's Export Declarations (Department of Commerce Form No. 7525-V, Revised) will not be validated by the Commission for use with the Form 250 (Export License) but will continue to be validated for use with shipments being made through August 31, 1949, in cases where AEC Form 17 is being used as the export license.

(5) When used with the new AEC Form 250 (Export License), "Shipper's Export Declaration" Forms should no longer be submitted to AEC but should be prepared and submitted in accordance with the instructions on the reverse of the Shipper's Export Declaration Form.

(6) The new "Export License" (AEC Form 250) must be presented to the Collector of Customs at the port of exit from the United States, or in the event that the items licensed are mailed, to the Postmaster at the Post Office of mailing.

(7) The reverse side of AEC Form 250 provides a space for the "Signature of Licensee". The licensee must sign the form in this space before the license is presented to the Customs or Post Office authorities; otherwise it will not be accepted.

(8) Export License Form AEC 250 may be transmitted by the licensee to his shipping agent or to any other person to whom the equipment licensed is trans-

ferred in the course of the licensed export transaction and may be presented to the Collector of Customs or the Postmaster by any person in lawful possession of the licensed equipment.

(9) After submission of the Export license, the Collector of Customs or the Postmaster will sign the license as provided on the reverse side of the license form and will indicate whether complete or partial shipment of the items licensed has been made. Thereupon, the Collector or the Postmaster will immediately return the Export License to the AEC.

(10) In the event a partial shipment has been made, the license which has been returned to the Commission will so indicate. If the licensee wishes to complete shipment of the unshipped balance, another AEC Form 250 (Export License) must be secured. However, he need not file another AEC Form 17 (License Application) with the Commission, but may apply by letter or telegram for a license covering the unshipped balance or any portion thereof. Such a letter or telegram may identify the commodities by "Item Number" as originally designated on the AEC Form 17 (License Application) previously filed.

The license application form prepared for use with the amended regulation (Form AEC–17, Revised) will require the submission of the following items of information:

(1) Name and address of applicant.

(2) Applicant's contract or reference number.

(3) Certificate and agreement.

(4) Description of facilities or components.

(5) Name and address of manufacturer, if not applicant.

(6) Full description of the ultimate use of the items listed in part 5.

(7) Exporter's name and address.

(8) Ultimate consignee's name and address.

(9) Every other person who will acquire title to the described facilities in the course of the export.

(10) Name of shipping agent.

(11) Approximate date of exportation.

The purpose of the item numbered 3 in the amendments is to remove from licensing control electrometer-type electronic tubes and resistors which have been actually incorporated into or packaged as spares for instruments which themselves are not subject to licensing controls of this regulation, such as pH meters, spectrophotometers, moisture meters, and kilovoltmeters.

Comments from persons interested in these changes will be received by the Commission in writing at any time prior to June 20, 1949.

Dated at Washington, D. C., this 25th day of May 1949.

U. S. ATOMIC ENERGY COMMISSION,
CARROLL L. WILSON,
General Manager.

[F. R. Doc. 49–4313; Filed, May 27, 1949; 8:54 a. m.]

NOTICES

NATIONAL MILITARY ESTABLISHMENT

Secretary of Defense

[Transfer Order 39]

ORDER TRANSFERRING CERTAIN PERSONAL PROPERTY AND FUNCTIONS PERTAINING THERETO FROM DEPARTMENT OF THE ARMY TO DEPARTMENT OF THE AIR FORCE AND CERTAIN PROPERTY FROM DEPARTMENT OF THE AIR FORCE TO DEPARTMENT OF THE ARMY

Pursuant to the authority vested in me by the National Security Act of 1947 (Act of July 26, 1947; Public Law 253—80th Congress) and in order to effect certain transfers authorized or directed therein, it is hereby ordered as follows:

1. a. In addition to that personal property heretofore transferred to the jurisdiction of the Department of the Air Force by Transfer Order No. 6, National Military Establishment, all matériel, supplies, equipment, and other personal property of the Department of the Army now on the accountable records of the Department of the Air Force or the United States Air Force or its organizations and installations, are hereby transferred from the jurisdiction of the Department of the Army to the jurisdiction of the Department of the Air Force.

b. All matériel, supplies, equipment and other personal property of the types or kinds used by both Departments either currently available or to be received through procurement from funds committed or obligated prior to June 30, 1949, will be equitably allocated by and between the two Departments not later than June 30, 1949, in such manner as the two Secretaries may jointly determine. No property will be moved solely because of this order. It will be held by the procuring departments, subject to withdrawal by the department to which the jurisdiction of the property is allocated.

2. There are hereby transferred to and vested in the Secretary of the Air Force and the Department of the Air Force, insofar as they may pertain to matériel, supplies, equipment or other personal property which comes under the jurisdiction of the Department of the Air Force, all functions, powers, and duties which are vested in the Secretary of the Army or the Department of the Army or any officer of that Department by the following laws, parts of laws, and Executive orders, as limited by other laws, parts of laws, and Executive orders, whether or not specifically set forth herein:

a. Act of July 15, 1870, c. 300, sec. 1, 16 Stat. 364; R. S. 197, as amended by the act of February 27, 1877, c. 69, sec. 1, 19 Stat. 241, and the act of February 9, 1889, c. 122, sec. 1, 25 Stat. 659, and the act of February 14, 1903, c. 552, sec. 1, 32 Stat. 825, and the act of March 4, 1913, c. 141, sec. 1, 37 Stat. 736 (5 U. S. C. 109).

b. Act of June 26, 1943, c. 145, Title II, sec. 203, 57 Stat. 195, as amended by act of June 27, 1944, c. 286, Title II, sec. 203, 58 Stat. 385; May 3, 1945, c. 106, Title II, sec. 204, 59 Stat. 132; March 28, 1946, c. 113, Title II, sec. 204, 60 Stat. 79; August 2, 1946, c. 744, sec. 8, 60 Stat. 808 (5 U. S. C. 118d–1).

c. Act of June 7, 1924, c. 312, sec. 1, 43 Stat. 597 (5 U. S. C. 203).

d. Act of June 3, 1916, c. 134, sec. 9, 39 Stat. 170, as amended by the act of June 4, 1920, c. 227, subch. I, sec. 9, 41 Stat. 766, and the act of December 1, 1941, c. 552, sec. 1, 55 Stat. 787 (10 U. S. C. 72).

e. Act of April 3, 1939, c. 35, sec. 4, 53 Stat. 556 (10 U. S. C. 298b).

f. Act of February 12, 1940, c. 27, Title I, 54 Stat. 25 (10 U. S. C. 298c).

g. Act of June 3, 1916, c. 134, sec. 47, 39 Stat. 192, as amended by the act of June 4, 1920, c. 227, subch. I, sec. 34, 41 Stat. 777 (10 U. S. C. 389).

h. Act of June 3, 1916, c. 134, sec. 47d, 39 Stat. 166, added by the act of June 4, 1920, c. 227, subch. I, sec. 34, 41 Stat. 779, and amended by the act of March 9, 1928, c. 161, 45 Stat. 251 (10 U. S. C. 442).

i. Act of March 12, 1868, c. 19, 15 Stat. 250; R. S. 1298 (10 U. S. C. 834).

j. Act of August 31, 1918, c. 166, sec. 9, 40 Stat. 957 (10 U. S. C. 904, 1106).

k. Act of July 17, 1914, c. 149, 38 Stat. 512 (10 U. S. C. 1179).

l. Act of June 3, 1916, c. 134, 39 Stat. 166, as amended by the act of June 4, 1920, c. 227, subch. I, sec. 35, 41 Stat. 780 (10 U. S. C. 1180).

m. Act of May 18, 1916, c. 124, 39 Stat. 123 (10 U. S. C. 1182).

n. Act of July 28, 1866, c. 229, sec. 26, 14 Stat. 336, R. S. 1225, as amended by the act of September 26, 1888, c. 1037, 25 Stat. 491 (10 U. S. C. 1182a).

o. Joint Resolution No. 9 of February 5, 1891, 26 Stat. 1113 (10 U. S. C. 1183).

p. Act of March 3, 1909, c. 251, 35 Stat. 730 (10 U. S. C. 1184).

q. Act of April 27, 1914, c. 72, 38 Stat. 370 (10 U. S. C. 1185).

r. Act of March 3, 1813, c. 48, sec. 5, 2 Stat. 817, R. S. 219; as amended by the act of August 24, 1912, c. 391, sec. 3, 37 Stat. 591 (10 U. S. C. 1192).

s. Act of July 27, 1937, c. 525, 50 Stat. 535 (10 U. S. C. 1192a).

t. Act of June 1, 1926, c. 435, sec. 1, 44 Stat. 680 (10 U. S. C. 1209).

u. Act of June 1, 1926, c. 435, sec. 2, 44 Stat. 680 (10 U. S. C. 1210).

v. Act of June 28, 1944, c. 306, sec. 1, 58 Stat. 624, as amended by act of July 1, 1947, c. 188, 61 Stat. 234 (10 U. S. C. 1213).

w. Act of June 28, 1944, c. 306, sec. 2, 58 Stat. 624, as amended by the act of July 1, 1947, c. 188, 61 Stat. 234 (10 U. S. C. 1214).

x. Act of July 11, 1919, c. 8, subch. IV, 41 Stat. 130 (10 U. S. C. 1251).

y. Act of March 3, 1911, c. 209, 36 Stat. 1047, as amended by the act of August 24, 1912, c. 391, sec. 3, 37 Stat. 591 (10 U. S. C. 1253).

z. Act of March 4, 1915, c. 143, sec. 1, 38 Stat. 1080 (10 U. S. C. 1254).

aa. Joint Resolution No. 15 of May 8, 1914, sec. 1 and 2, 38 Stat. 771 (10 U. S. C. 1255, 1256).

bb. Act of June 5, 1920, c. 252, sec. 8, 41 Stat. 1015 (10 U. S. C. 1257).

cc. Act of July 2, 1947, c. 204, 61 Stat. 243, as amended by the act of July 31, 1947, c. 411, sec. 5, 61 Stat. 694 (10 U. S. C. 1257b).

dd. Act of February 28, 1936, c. 93, 49 Stat. 1147 (10 U. S. C. 1258).

ee. Act of May 15, 1937, c. 193, 50 Stat. 167 (10 U. S. C. 1259).

ff. Act of March 3, 1825, c. 93, sec. 1, 2, 4 Stat. 127; R. S. 1241 (10 U. S. C. 1261).

gg. Act of June 5, 1920, c. 240, 41 Stat. 949 (10 U. S. C. 1262).

hh. Act of June 28, 1940, c. 440, Title I, sec. 14, 54 Stat. 681, as amended by the act of August 7, 1946, c. 770, sec. 1, (29, 57), 60 Stat. 868, 871 (10 U. S. C. 1262a).

ii. Act of March 2, 1905, c. 1307, 33 Stat. 841 (10 U. S. C. 1262b).

jj. Act of July 11, 1919, c. 8, 41 Stat. 105 (10 U. S. C. 1265).

kk. Act of April 17, 1920, c. 150, 41 Stat. 554 (10 U. S. C. 1266).

ll. Act of July 19, 1919, c. 24, sec. 5, 41 Stat. 223 (10 U. S. C. 1267).

mm. Act of July 30, 1947, c. 394, secs. 1, 2, 3, 61 Stat. 675 (10 U. S. C. 1269, 1269a, 1269b).

nn. Act of August 5, 1947, c. 493, secs. 1, 3, 4, 5, 6, 61 Stat. 774 (10 U. S. C. 1270, 1270a, 1270b, 1270c, 1270d).

oo. Act of August 29, 1916, c. 418, sec. 1, 39 Stat. 635 (10 U. S. C. 1271).

pp. Act of May 11, 1939, c. 122, 53 Stat. 739 (10 U. S. C. 1271a).

qq. Act of July 9, 1918, c. 143, 40 Stat. 849 (10 U. S. C. 1272).

rr. Act of July 11, 1919, c. 9, 41 Stat. 132, as amended by the act of August 7, 1946, c. 782, 60 Stat. 889 (10 U. S. C. 1274).

ss. Act of August 29, 1916, c. 418, sec. 1, 39 Stat. 635 (10 U. S. C. 1301).

tt. Act of March 3, 1865, c. 79, sec. 25, 13 Stat. 491; R. S. 225; as amended by the act of February 27, 1877, c. 69, sec. 1, 19 Stat. 241 (10 U. S. C. 1302).

uu. Act of October 30, 1941, c. 465, 55 Stat. 758 (10 U. S. C. 1304).

vv. Act of March 4, 1921, c. 166, sec. 1, 41 Stat. 1438 (20 U. S. C. 60).

ww. Act of November 19, 1919, c. 118, 41 Stat. 360 (20 U. S. C. 93).

xx. Act of May 26, 1928, c. 760, 45 Stat. 753 (20 U. S. C. 94).

yy. Act of May 31, 1939, c. 161, 53 Stat. 795 (22 U. S. C. 259).

zz. Act of June 15, 1940, c. 365, secs. 1–7, 54 Stat. 396, 397 (22 U. S. C. 521–527).

aaa. Act of June 3, 1916, c. 134, sec. 83, 39 Stat. 203 (32 U. S. C. 33).

bbb. Act of January 21, 1903, c. 196, sec. 21, 32 Stat. 779 (32 U. S. C. 71).

ccc. Act of July 2, 1918, c. 117, sec. 8, 40 Stat. 753, as amended by the act of April 24, 1920, c. 161, sec. 3, 41 Stat. 583 (39 U. S. C. 504).

ddd. Act of July 8, 1918, c. 137, sec. 1, 40 Stat. 817 (50 U. S. C. 60).

eee. Act of March 3, 1879, c. 183, 20 Stat. 412, as amended by the act of April 14, 1937, c. 79, 50 Stat. 63 (50 U. S. C. 61).

fff. Act of February 10, 1920, c. 64, 41 Stat. 403, as amended by the act of June 5, 1920, c. 240, 41 Stat. 976 (50 U. S. C. 62).

ggg. Act of June 30, 1906, c. 3938, 34 Stat. 817 (50 U. S. C. 62a).

hhh. Act of December 15, 1926, c. 10, 44 Stat. 922 (50 U. S. C. 62b).

iii. Act of May 11, 1908, c. 163, 35 Stat. 125 (50 U. S. C. 63).

jjj. Act of May 28, 1908, c. 215, sec. 14, 35 Stat. 443 (50 U. S. C. 64).

kkk. Act of April 23, 1904, c. 1485, 33 Stat. 276 (50 U. S. C. 65).

lll. Act of May 22, 1896, c. 231, 29 Stat. 133, as amended by the act of May 26, 1928, c. 785, 45 Stat. 773, and the act of February 28, 1933, c. 137, 47 Stat. 1369, and the act of June 19, 1940, c. 398, sec. 1, 54 Stat. 491, and the act of July 31, 1947, c. 421, 61 Stat. 707 (10 U. S. C. 1257a); (50 U. S. C. 67).

mmm. Act of March 4, 1909, c. 319, sec. 47, 35 Stat. 1075 (50 U. S. C. 68).

nnn. Act of March 2, 1905, c. 1307, 33 Stat. 841 (50 U. S. C. 69).

ooo. Act of March 3, 1909, c. 252, 35 Stat. 751, as amended by the act of April 15, 1937, c. 101, 50 Stat. 65 (50 U. S. C. 70).

ppp. Act of March 3, 1909, c. 252, 35 Stat. 750 (50 U. S. C. 71).

qqq. Act of April 23, 1904, c. 1485, 33 Stat. 276, as amended by the act of June 26, 1934, c. 756, sec. 10, 48 Stat. 1229 (50 U. S. C. 73).

rrr. Act of June 3, 1916, c. 134, sec. 123, 39 Stat. 215 (50 U. S. C. 78).

sss. Act of May 29, 1928, c. 853, sec. 1, 45 Stat. 928 (50 U. S. C. 83).

ttt. Act of June 7, 1939, c. 190, secs. 1–9, 53 Stat. 811, as amended and added by act of July 23, 1946, c. 590, 60 Stat. 596 (50 U. S. C. 98–98h).

uuu. Act of July 2, 1940, c. 508, sec. 1, 54 Stat. 712, as amended by act of September 9, 1940, c. 717, Title I, sec. 103, 54 Stat. 875 (50 App. U. S. C. 1171). (Provisions of this section were extended by acts of June 30, 1941, c. 262, sec. 9, 55 Stat. 393, and June 5, 1942, c. 340, sec. 13, 56 Stat. 317 (50 App. U. S. C. 773).)

vvv. Act of October 3, 1944, c. 479, 58 Stat. 765, as amended (50 App. U. S. C. 1611–1646).

www. Executive Order 9830, Part II, sec. 8, September 27, 1945 (10 F. R. 12245).

xxx. All other laws, parts of laws, including applicable provisions of Appropriation Acts, and Executive Orders which vested in the Secretary of the Army or the Department of the Army or any officer of that Department, functions, powers and duties relating to matériel, supplies, equipment or other personal property insofar as they pertain to matériel, supplies, equipment or other personal property which comes under the jurisdiction of the Department of the Air Force.

3. The Department of the Air Force will utilize the services of the Department of the Army and the Department of the Army will utilize the services of the Department of the Air Force for such types of services in the field of storage and distribution of personal property as are presently performed by one for the other, subject to such adjustments as from time to time are jointly determined to be necessary or desirable by the Secretaries of the two Departments. This approval does not constitute authority for the Department of the Air Force to construct new or additional depot storage facilities for items of supply common to the two services without prior approval of the Secretary of Defense.

4. The Secretary of the Army, the Secretary of the Air Force or their representatives are hereby authorized to issue such orders as may be necessary to effectuate the purposes of this order. In this respect, the transfer of such related personnel, personal property, records, installations, agencies, activities and projects as the Secretaries of the Army and the Air Force shall from time to time jointly determine to be necessary, is authorized.

5. It is expressly determined that the functions herein transferred are necessary and desirable for the operations of the Department of the Air Force and the United States Air Force.

6. Nothing contained in this order shall operate as a transfer of funds.

7. The provisions of this order are subject to the terms and conditions set forth in a memorandum from the Secretary of Defense to the Secretaries of the Army, Navy and Air Force, dated May 18, 1949, relating to this transfer order.

8. This order shall be effective as of 12:00 noon, May 18, 1949.

[SEAL] LOUIS JOHNSON,
Secretary of Defense.

MAY 18, 1949

[F. R. Doc. 49–4283; Filed, May 27, 1949; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SHORE SPACE RESTORATION NO. 418

MAY 20, 1949.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with 43 CFR, 4.275 (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), and Order No. 319 of July 19, 1948 (43 CFR 50.451, 13 F. R. 4278), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands:

T. 1 S., R. 2 W., Fairbanks Meridian.
Sec. 28: Lots 6 and 7 (Second homestead application of Erick Nelson, Fairbanks 05533).

T. 5 S., R. 4 E., Fairbanks Meridian.
Sec. 9: SW¼NW¼ (Homestead application of Hans P. Schmidt, Fairbanks 06229).

T. 4 S., R. 4 E., Fairbanks Meridian.
Sec. 29: SW¼SW¼ (Homestead application of Ernest H. Avara, Fairbanks 06989).

Sec. 32: Lot 1 (Homestead application of James L. Avara, Fairbanks 06990).

The areas described aggregate approximately 120 acres.

No application for these lands may be allowed under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At 10:00 a. m. on June 24, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from June 24, 1949, to September 22, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or homesite laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from June 3, 1949, to June 23, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on June 24, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public land laws.* Commencing at 10:00 a. m on September 23, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from September 2, 1949, to September 22, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on September 23, 1949, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 66, of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Fairbanks, Alaska.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 49-4282; Filed, May 27, 1949; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Dockets Nos. 730 et al.; 810 et al.]

AIR FREIGHT CASE AND BOSTON-NEW YORK-ATLANTA-NEW ORLEANS CASE

NOTICE OF ORAL ARGUMENT

Notice is herby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument upon the exceptions to the Board's tentative decision of April 25, 1949, Order Serial No. E-2759, in the above-entitled proceeding is assigned to be held on June 13, 1949, at 10:00 a. m. (e. d. s. t.) in Room 5042 Commerce Building, Fourteen Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., May 24, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-4279; Filed, May 27, 1949; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[No. 29572, 29622, 29735, 29746, 29761, 29795, 29805, 29822, 29853, 29861, 29875, 29917, 29918, 29920, 29926, 29930, 30076]

AHNAPEE AND WESTERN RAILWAY CO. ET AL.

SPECIAL RULES OF PRACTICE

MAY 24, 1949.

United States of America v. The Ahnapee and Western Railway Company, et al., No. 29572; United States of America v. Aberdeen and Rockfish Railroad Company, et al., No. 29622; United States of America v. Aberdeen and Rockfish Railroad Company, et al., No. 29735; United States of America v. Aberdeen and Rockfish Railroad Company, et al., No. 29746; United States of America v. The Atchison, Topeka and Santa Fe Railway Company, et al., No. 29761; United States of America v. Southern Pacific Company, et al., No. 29795; United States of America v. Union Pacific Railroad Company, et al., No. 29805; United States of America v. Union Pacific Railroad Company, et al., No. 29822; United States of America v. Alabama Central Railroad Company, et al., No. 29853; United States of America v. Northern Pacific Railway Company, et al., No. 29861; United States of America v. The Pennsylvania Railroad Company, et al., No. 29875; United States of America v. Great Northern Railway Company, et al., No. 29917; United States of America v. The Colorado & Wyoming Railway Company, et al., No. 29918; United States of America v. Illinois Central Railroad Company, et al., No. 29920; United States of America v. The Baltimore and Ohio Railroad Company, et al., No. 29926; United States of America v. The Akron, Canton & Youngstown Railroad Company, et al., No. 29930; United States of America v. The New York Central Railroad Company, et al., No. 30076.

The special rules of practice for application to the above-entitled proceedings, dated March 31, 1948, are amended so as to require service of copies of petitions of interventions and other documents or notice upon: Honorable Herbert A. Bergson, Assistant Attorney General, Department of Justice, Washington 25, D. C., in lieu of David O. Mathews.

By the Commission, Division 4.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-4277; Filed, May 27, 1949; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2095]

GENERAL PUBLIC UTILITIES CORP. AND STATEN ISLAND EDISON CORP.

ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE AND RESERVING JURISDICTION OVER FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 24th day of May 1949.

General Public Utilities Corporation ("GPU"), a registered holding company, and its electric utility subsidiary, Staten Island Edison Corporation ("Edison"), having filed a joint application-declaration, regarding primarily the recapitalization of Edison and, in the course thereof, the issuance and sale by Edison at competitive bidding of bonds and preferred stock, and the issuance and exchange of new common stock for the existing common stock; and

Edison having been authorized by the Public Service Commission of the State of New York to invite proposals for the purchase of the bonds and subsequent thereto to invite proposals for the purchase of the preferred stock; and

Applicants - declarants having requested that the ten-day period for inviting bids for the bonds as provided in Rule U-50 (b) be shortened to permit the opening of bids on June 1, 1949; and

Applicants - declarants having requested that the Commission enter an order finding that the proposed surrender of securities to Edison by GPU and Day & Co., its nominee; the issuance and sale of new preferred stock; the payment of $4,000,000 of the proceeds of the

sale of the new preferred stock together with delivery of new common stock to GPU, are necessary to effectuate the provisions of section 11 (b) of the act within the meaning of sections 371 to 373, inclusive, and 1808 (f) of the Internal Revenue Code, as amended, and

Public hearings having been held after appropriate notice and the Commission having considered the record and filed its findings and opinion herein:

It is ordered, That said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith subject to the following conditions:

1. The terms and conditions prescribed by Rule U-24 of the general rules and regulations under the act.

2. The proposed issue and sale of the first mortgage bonds and preferred stock shall not be consummated until, in each case, respectively, orders of the Public Service Commission of the State of New York authorizing the issue and sale of the respective securities and the results of the competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and further orders shall have been entered by this Commission in the light of the record so completed, which orders may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose.

It is further ordered, That jurisdiction be, and hereby is, reserved over the Unearned Surplus—Special Account to the extent of its utilization for purposes other than adjustments of Edison's plant account and related reserves and other balance sheet accounts resulting from matters existing therein as of December 31, 1948.

It is further ordered, That the ten-day period for inviting bids on the bonds as provided by Rule U-50 be, and the same hereby is, shortened so as to permit the opening of bids on the bonds on June 1, 1949.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of the fees and expenses of all counsel.

It is further ordered and recited, That the following transactions are necessary or appropriate to the integration or simplification of the GPU system of which GPU, Edison, and Day & Co. are a part, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The issuance, sale, transfer and delivery by Edison for cash at competitive bidding, of 40,000 shares of the new preferred stock, having a par value of $100 per share;

2. The transfer, assignment, and delivery by Day & Co. to Edison of 260,000 shares without par value of the common stock of Edison registered in the name of Day & Co., the nominee of GPU (including any transfer or transfers of said shares by Day & Co. to GPU and by GPU to Edison);

3. The transfer, surrender and delivery by GPU to Edison of 2,725 shares, without par value, of the preferred stock of Edison;

4. The issuance, transfer and delivery by Edison to GPU of 325,000 shares of the new common stock of Edison, having a par value of $20 per share; and

5. The payment by Edison to GPU of $4,000,000 in cash.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-4268; Filed, May 27, 1949; 8:46 a. m.]

[File No. 70-2132]

COLUMBIA GAS SYSTEM, INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 24th day of May 1949.

The Columbia Gas System, Inc., ("Columbia"), a registered holding company, having filed a declaration pursuant to sections 6, 7 and 12 of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder, with respect to the following transactions:

Columbia has presently outstanding 13,452,874 shares of common stock without par value. Columbia proposes to offer to its common stockholders at the price of $10.00 per share 1,345,300 additional shares of common stock. Primary Subscription Rights will be issued to the common stockholders on the basis of one share of new common stock for each ten shares of common stock held by them. The proceeds from the sale of the new common stock will be used by Columbia to finance in part its 1949 construction program.

Common stockholders will also have the privilege of subscribing to such of the new common stock not subscribed for through the exercise of Primary Subscription Rights, subject to pro rata allotment. The Primary Subscription Rights together with the Additional Subscription Privilege will be evidenced by transferable warrants.

The declaration states that no fractional shares of common stock will be issued, but rights in excess of those necessary to subscribe for a full share may be sold or additional rights may be purchased to entitle the holder of the warrant to subscribe to one of more full shares of common stock.

The declaration further states that while the offer to the stockholders will not be underwritten, Columbia proposes to arrange for the payment of fees to members of the National Association of Security Dealers or qualified foreign dealers for subscriptions for new common stock solicited. In addition to the other estimated fees and expenses to be incurred by it in connection with the financing, Columbia proposes to pay participating dealers a fee of 30¢ for each share of additional common stock issued pursuant to the subscription offer in those cases where the names of such participating dealers appear on the exercised warrants.

Columbia proposes, if necessary and desirable, to stabilize the price of its common stock and/or the rights to subscribe to the additional common stock for the purpose of facilitating the distribution and offering of the additional common stock. In connection therewith Columbia may, after the making of its subscription offer and prior to the expiration thereof, purchase shares of common stock and Subscription Rights on the New York Stock Exchange and/or the Pittsburgh Stock Exchange through brokers with the payment of the regular stock exchange commission. Any rights which are purchased by Columbia may be retained, or may be sold by it on the exchanges at the current price and with payment of the regular stock exchange commission, or may be sold on the over-the-counter markets at prices not to exceed the current price of rights as quoted on the New York Stock Exchange and with payment of commissions not in excess of the regular New York Stock Exchange commission on such transactions.

Columbia states that it will at no time acquire a net long position of shares of common stock (including for this purpose the equivalent shares represented by rights acquired) in excess of 10% of the additional common stock to be offered.

Prior to selling shares of common stock purchased in connection with the stabilizing program, Columbia will file a post-effective amendment to its declaration, setting forth the terms and conditions upon which it will sell or dispose of such shares.

Said declaration having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the applicable requirements of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the declaration be, and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-4269; Filed, May 27, 1949; 8:46 a. m.]

[File No. 70-2136]

SOUTHWESTERN GAS AND ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 24th day of May A. D. 1949.

Notice is hereby given that Southwestern Gas and Electric Company ("Southwestern"), a public utility subsidiary of Central and South West Corporation, a registered holding company, has filed a declaration, and amendments thereto, with this Commission pursuant to the Public Utility Holding Company Act of 1935. Declarant has designated sections 6 (a) and 7 of the act and Rule U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than June 2, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 2, 1949, said declaration, as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration, as amended, which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Southwestern proposes to issue and sell, at competitive bidding pursuant to the requirements of Rule U-50, $4,500,000 principal amount of its First Mortgage Bonds, Series C, __% due 1979, to be issued under and secured by the company's Indenture of Mortgage dated February 1, 1940, a Supplemental Indenture dated January 1, 1948 and a proposed Supplemental Indenture to be dated June 1, 1949. The interest rate per annum on said bonds (to be a multiple of ⅛ of 1%), and the price, exclusive of accrued interest, to be received by the company (to be not less than 100% nor more than 102.75% of the principal amount of said bonds), are to be determined by competitive bidding.

Southwestern further proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, 25,000 shares of __% Preferred Stock, cumulative, $100 par value per share. The annual dividend rate per share on the Preferred Stock (to be a multiple of 1/20 of 1%) and the price to be received by the company (to be not less than $100 per share nor more than $102.75 per share) are to be determined by competitive bidding.

Southwestern also proposes to amend its Certificate of Incorporation to provide for additional protective provisions for the holders of preferred stock, including (a) certain restrictions on the payment of dividends on the common stock whenever the ratio of common stock equity to total capitalization and surplus is less than certain specified amounts, (b) the right of the holders of the preferred stock to elect a majority of the Board of Directors in the event of default in an amount equivalent to four quarterly dividends on the preferred stock, and (c) a requirement of a two-thirds class vote of the preferred stock in connection with the creation, authorization or issuance of any stock ranking prior thereto or a change of the terms and provisions of the preferred stock so as to affect adversely the holders thereof.

The declaration states that the net proceeds to be derived from the sale of the bonds and preferred stock will be used to pay, or reimburse the company for, the cost of additions, extensions and improvements in connection with its construction program. Southwestern estimates that its construction program for the three year period 1949–1951 will require expenditures of $22,600,000, of which $9,800,000 will be expended in 1949, $8,400,000 in 1950 and $4,400,000 in 1951. The company anticipates that its construction requirements will be provided for by the sale of the proposed securities and from operations, including retained earnings, and from the issue and sale of $2,750,000 of common stock in 1949 and of $2,000,000 of bonds or debentures in 1951.

Total fees and expenses to be paid by Southwestern in connection with the proposed transactions are estimated at $58,000, including service company charges of $18,000. The fee of independent counsel for underwriters, to be paid by the successful bidders, is stated to be $4,500 for the bonds and $2,500 for the preferred stock.

It is represented that the Corporation Commission of the State of Oklahoma has jurisdiction over the issuance of the bonds and that the Arkansas Public Service Commission has jurisdiction over the issuance of the bonds and preferred stock and that copies of orders of said Commissions will be supplied by amendment.

Southwestern requests that the ten day publication period for inviting bids for the bonds and preferred stock, as provided in Rule U-50, be shortened to a period of not less than six days. Declarant further requests that the Commission accelerate the entry of its order herein and that such order become effective forthwith upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-4271; Filed, May 27, 1949; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13275]

MINNY CRAMER STEIN AND PERCY K. HUDSON

In re: Trust agreement dated June 3, 1925, between Minny Cramer Stein, donor, and Percy K. Hudson, trustee. File No. F-28-2887-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Minny Cramer Stein, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the son, name unknown, of Rolf Helmuth Wagner, deceased, and the descendants, names unknown, of Rolf Helmuth Wagner, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest, and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof in and to and arising out of or under that certain trust agreement dated June 3, 1925, by and between Minny Cramer Stein, donor, and Percy K. Hudson, trustee, presently being administered by Percy K. Hudson, Care of Lord, Day & Lord, 25 Broadway, New York 4, New York, trustee,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the son, name unknown, of Rolf Helmuth Wagner, deceased, and the descendants, names unknown, of Rolf Helmuth Wagner, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 49-4284; Filed, May 27, 1949; 8:49 a. m.]

[Vesting Order 13281]

N. V. AGRARISCHE EN INDUSTRIEELE HANDELMAATSCHAPPIJ "AGRIHAMA"

In re: Debt owing to N. V. Agrarische en Industrieele Handelmaatschappij "Agrihama".

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Max Hoeck also known as Dr. G. Hoeck, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That N. V. Agrarische en Industrieele Handelmaatschappij "Agrihama" is a corporation, partnership, association or other business organization, organized under the laws of The Netherlands, and is or since the effective date of Executive Order 8389, as amended, has been controlled by, the aforesaid Max Hoeck also known as Dr. G. Hoeck, and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation owing to N. V. Agrarische en Industrieele Handelmaatschappij "Agrihama" by E. I. du Pont de Nemours and Company, 1007 Market Street, Wilmington 98, Delaware, in the amount of $29,445.83 as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That N. V. Agrarische en Industrieele Handelmaatschappij "Agrihama" is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country, and is a national of a designated enemy country (Germany), and

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4285; Filed, May 27, 1949; 8:49 a. m.]

[Vesting Order 13283]

ERNST V. GOLLER

In re: Debt owing to Ernst V. Goller. F-28-3690-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst V. Goller, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Ernst V. Goller, by Grace & Co., Central America, 2 Pine Street, San Francisco, California, in the amount of $792.95, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4287; Filed, May 27, 1949; 8:49 a. m.]

[Vesting Order 13282]

HANS ERNST BUSCH

In re: Claim owned by the personal representatives, heirs, next of kin, legatees and distributees of Hans Ernst Busch, deceased. F-28-25564-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Hans Ernst Busch, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain claim against the State of New York and The Comptroller of the State of New York, arising by reason of and receipt by the said Comptroller of the State of New York, pursuant to provisions of Section 303, Article III of the Abandoned Property Law of the State of New York, of the following property: That certain sum, representing a compound interest savings account maintained with the Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, entitled Madam Johanna Gadski Taucher, in trust for Hans Ernst Busch, which sum was paid or delivered to the Comptroller of the State of New York, said sum being presently in the custody of The Comptroller of the State of New York, Albany, New York,

and any and all rights to file with said Comptroller of the State of New York, the aforesaid claim, and to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Hans Ernst Busch, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Hans Ernst Busch, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4286; Filed, May 27, 1949; 8:49 a. m.]

[Vesting Order 13284]

YOSHI AND AKINORI GOTOH

In re: Bank account owned by Yoshi Gotoh, also known as Yoshi Goto, and Akinori Gotoh, also known as A. Goto. D-39-19229-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yoshi Gotoh, also known as Yoshi Goto, and Akinori Gotoh, also known as A. Goto, each of whose last known address is Osaka, Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of California Bank, 625 South Spring Street, Los Angeles, California, arising out of a savings account, entitled Yoshi Gotoh or A. Gotoh, maintained at the South Grand Avenue branch office of the aforesaid bank located at 608 South Grand Avenue, Los Angeles, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Yoshi Gotoh, also known as Yoshi Goto, and Akinori Gotoh, also known as A. Goto, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4288; Filed, May 27, 1949; 8:49 a. m.]

[Vesting Order 13286]

KIYOSHI NOZAKI

In re: Bank account owned by Kiyoshi Nozaki. D-39-9545-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kiyoshi Nozaki, whose last known address is Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Kiyoshi Nozaki, by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, account number 454, entitled Kiyoshi Nozaki, maintained at the branch office of the aforesaid bank located at Arroyo Grande, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4289; Filed, May 27, 1949; 8:49 a. m.]

[Vesting Order 13288]

MARIA WILMS

In re: Claim owned by Maria Wilms. F-28-29814-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Wilms, whose last known address is M. Gladbach Land Post Rheindahlen Mennrathschmid 18, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain claim against the State of Connecticut and the State Treasurer of the State of Connecticut, arising by reason of the collection or receipt by said State Treasurer of the State of Connecticut pursuant to the provisions of Section 7079, 1949 General Statutes Revision, of the following: That certain sum of money in the amount of $541.60, turned over to the State Treasurer of the State of Connecticut by the administrator of the estate of Joseph Wilms, deceased, said sum being presently on deposit with the State Treasurer of the State of Connecticut,

and any and all rights to file with said State Treasurer, demand, enforce and collect the aforesaid claim,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Maria Wilms, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4290; Filed, May 27, 1949; 8:49 a. m.]

[Vesting Order 12602, Amdt.]

W. LANDGRAF

In re: Stock, bonds and bank account owned by W. Landgraf, also known as W. Landgraff.

Vesting Order 12602, dated December 31, 1948, as amended, is hereby further amended as follows and not otherwise: By deleting from subparagraph 2-a of said Vesting Order 12602, as amended, the words and figures, "temporary certificate numbered TNYC-29497", as set forth with respect to 100 shares of no par value common capital stock of General Mills, Inc., registered in the name of Hurley & Co., and substituting therefor the words and figures, "certificate numbered NY/C-36475."

All other provisions of said Vesting Order 12602, as amended, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4291; Filed, May 27, 1949; 8:49 a. m.]

[Return Order 315]

BRUNILDE MADDALENI

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Brunilde Maddaleni, Lucca, Italy, Claim No. 26009, March 23, 1949 (14 F. R. 1312); $137,900.42 in the Treasury of the United States. All right, title, interest and claim of any name or nature whatsoever of Brunilde Maddaleni in and to Pieroni Bros. & Company, a Massachusetts partnership. The following securities presently in the custody of the Safekeeping Department of the Federal Reserve Bank of New York: 100 shares of Pieroni Building Trust (a Massachusetts Trust), and 50 shares of no par value capital stock of Pieroni Inc., a Massachusetts corporation.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 24, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4292; Filed, May 27, 1949; 8:50 a. m.]

[Return Order 330]

PIERRE HENRY DUSSUMIER DE FONBRUNE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Pierre Henry Dussumier De Fonbrune, Paris, France, Claim No. 38710, March 23, 1949 (14 F. R. 1312); Property described in Vesting Order No. 666, dated January 18, 1943 (8 F. R. 5047, April 17, 1943) relating to United States Letters patent Nos. 1,987,733 and 1,987,734. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4294; Filed, May 27, 1949; 8:50 a. m.]

[Return Order 328]

IRENE WESER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Irene Weser, Budapest, Hungary, Claim No. 36735, August 5, 1948 (13 F. R. 4530); $3,535 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4293; Filed, May 27, 1949; 8:50 a. m.]

[Return Order 333]

MARGARETHE BOUSEK AND FRIEDA WEITZL

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Margarethe Bousek, Frieda Weitzl, Wiener-Neustadt, Ungargasse 39, Austria; Claims Nos. 33755 and 33763; April 16, 1949 (14 F. R. 1862); $15,328.41 in the Treasury of the United States, to each claimant. All right, title and interest of any kind or character whatsoever of Margarethe Bousek and Frieda Weitzl and each of them in and to the Trust created under the Will of Henry Schaefer, deceased, and all right, title, interest and claim of any kind or character whatsoever of Margarethe Bousek and Frieda Weitzl and each of them in and to Certificate No. C-4622, Guarantee Mortgage Certificate, Mortgage No. 505 for $50,000, issued by The Western Connecticut Title & Mortgage Company to Daniel Schnakenberg and Corn Exchange Bank Trust Company, as Trustees under the Will of Henry Schaefer, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4295; Filed, May 27, 1949; 8:50 a. m.]

[Return Order 334]

PAULA L. MANNHEIMER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Paula L. Mannheimer, 8667¾ Burton Way, Los Angeles 36, California; Claim No. 6648; April 20, 1949 (14 F. R. 1908); $156.25 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Paula L. Mannheimer in and to a trust established under an indenture of trust executed by Josephine Zimmermann as Settlor and Maryan H. Hauser and Samuel B. Newman as Trustees on December 15, 1931.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4296; Filed, May 27, 1949; 8:50 a. m.]

[Return Order 336]

EMILIE POLEK

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property described below and in the determination, be returned, subject to any in-

crease or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Emilie Polek, Vienna, Austria; Claim No. 5889; April 16, 1949. (14 F. R. 1862); $32,122.12 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4297; Filed, May 27, 1949; 8:50 a. m.]

[Return Order 337]

AAGE GERSTENBERG

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Aage Gerstenberg, Copenhagen, Denmark, Claim No. 8541, April 20, 1949 (14 F. R. 1908); Property described in Vesting Order No. 664 (8 F. R. 4989, April 17, 1943), relating to United States Letters Patent Nos. 1,928,173, 1,993,055, 2,039,162, and 2,050,654. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 24, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4298; Filed, May 27, 1949; 8:51 a. m.]

[Return Order 340]

BENGUET CONSOLIDATED MINING CO.

Having considered the claim set forth below and having issued a determination allowing the claim which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Benguet Consolidated Mining Co., Port Area, Manila, Philippine Islands, Claim No. 12650; April 16, 1949 (14 F. R. 1862); Property described in Vesting Order No. 295 (8 F. R. 9481, November 26, 1942) relating to Patent Application Ser. No. 383,888 (now U. S. Letters Patent No. 2,316,330). This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4299; Filed, May 27, 1949; 8:51 a. m.]

[Return Order 341]

MAURICE GOUDARD

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Maurice Goudard, Paris (Seine), France; Claim No. 31752; April 20, 1949 (14 F. R. 1908); Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent Nos. 1,755,988, 1,768,041 and 1,842,866. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4300; Filed, May 27, 1949; 8:51 a. m.]

[Return Order 342]

EDWARD V. KILLEEN AND DRAGOI BATZOUROFF

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Edward V. Killeen, Executor under the last will and testament of Dragoi Batzouroff, deceased, New York, N. Y., Claim No. 1737, April 19, 1949 (14 F. R. 1877); $82,689.27 in the Treasury of the United States.

The above property is being returned to the above claimant for the sole purpose of having the claimant as executor under the last will and testament of Dragoi Batzouroff, deceased, distribute the property to the persons and firms designated below in the amounts stated:

Edward V. Killeen	$31,383.24
F. J. Welton & Co., Inc	120.00
Theodore Hoffman	706.03
J. Jachimowicz	50.00
William DeWitt Andrus	250.00
Asa Liggett Lincoln	180.00
McManus & Ernst	30,000.00
Barrow, Wade, Guthrie & Co	20,000.00

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-4301; Filed, May 27, 1949; 8:51 a. m.]

MARCEL MENNESSON

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Marcel Mennesson, Paris, France; 29406; Property described in Vesting Order No. 1028 (8 F. R. 4205, April 2, 1943), relating to United States Patent Application Serial No. 462,902 (now United States Letters Patent No. 2,351,992).

Executed at Washington, D. C., on May 23, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4303; Filed, May 27, 1949; 8:51 a. m.]